

(PLAx), CLOSED, DISCOVERY

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA (Western  
Division - Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:04-cv-08051-GAF-PLA**

United States Equal Employment Opportunity Commission v.  
Clougherty Packing Company et al  
Assigned to: Judge Gary A. Feess  
Referred to: Magistrate Judge Paul L. Abrams  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/28/2004  
Date Terminated: 10/17/2005  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**United States Equal Employment  
Opportunity Commission**

represented by **Anna Y Park**  
US Equal Employment Opportunity  
Commission  
Los Angeles District Office  
255 E Temple St, 4th Floor  
Los Angeles, CA 90012  
213-894-1000  
Email: anna.park@eeoc.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Peter F Laura**  
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Email: Peter.Laura@EEOC.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Clougherty Packing Company**  
*doing business as*  
Farmer John

represented by **Christopher E Hoyme**  
Berens & Tate  
10050 Regency Cir, Ste 400  
Omaha, NE 68114  
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 Email: rachela@berenstate.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Does**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/28/2004	1	COMPLAINT against defendant Clougherty Packing Company. (No Filing fee required) Jury Demand. filed by plaintiff United States Equal Employment Opportunity Commission.(jag, ) (Entered: 10/05/2004)
09/28/2004		FAX number for Attorney Peter F Laura, Anna Y Park is 213-894-1301. (jag, ) (Entered: 10/05/2004)
09/28/2004		20-Day Summons Issued re Complaint - (Discovery)[1] as to Clougherty Packing Company. (jag, ) (Entered: 10/05/2004)
09/28/2004	2	CERTIFICATION of Interested Parties filed by Plaintiff United States Equal Employment Opportunity Commission. (jag, ) (Entered: 10/05/2004)
11/23/2004	3	NOTICE OF WAIVER OF SERVICE Returned Executed filed by plaintiff upon Clougherty Packing Company, doing business as Farmer John waiver sent by Plaintiff on 10/21/2004, answer due 12/20/2004. Waiver of Service signed by Rachel K Alexander. (nhac, ) (Entered: 11/29/2004)
12/27/2004	4	CERTIFICATION AND NOTICE of Interested Parties filed by Defendant Clougherty Packing Company. (nhac, ) (Entered: 12/28/2004)
12/27/2004	5	ANSWER to Complaint [1] filed by defendant Clougherty Packing Company.(nhac, ) (Entered: 12/28/2004)

01/05/2005	<a href="#">6</a>	ORDER Regarding Rule 26(f) Conference and Joint Report by Judge Gary A. Feess: This action has been assigned to Judge Gary Allen Feess for all purposes. The Court orders as follows: Rule 26 Meeting Report due by 3/7/2005 at 1:30pm. (see document for further details).(rl, ) (Entered: 01/06/2005)
02/03/2005	7	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case by Christopher E. Hoyme for defendant Clougherty Packing Company, designating L. Stephen Albright as local counsel. Fee PAID. Approved by Judge Gary A. Feess.(gk, ) (Entered: 02/07/2005)
02/03/2005	8	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case by Kelvin C. Berens for defendant Clougherty Packing Company, designating L. Stephen Albright as local counsel. Fee PAID. Approved by Judge Gary A. Feess.(gk, ) (Entered: 02/07/2005)
02/03/2005	9	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case by Rachel K. Alexander for defendant Clougherty Packing Company, designating L. Stephen Albright as local counsel. Fee PAID. Approved by Judge Gary A. Feess.(gk, ) (Entered: 02/07/2005)
02/03/2005		FAX number for Attorney Rachel K Alexander, Kelvin C Berens, Christopher E Hoyme is 402-391-7363. (gk, ) (Entered: 02/07/2005)
02/11/2005	10	ORDER by Judge Gary A. Feess Granting the NOTICE AND REQUEST of Settlement Procedure Selection (Sp1) to Appear Before magistrate judge assigned to the case for settlement proceedings.(gk, ) (Entered: 02/16/2005)
02/28/2005	11	JOINT REPORT of Scheduling Meeting Rule 26 filed; estimated length of trial 10 days. (gk, ) (Entered: 03/03/2005)
03/07/2005	<a href="#">12</a>	MINUTES OF Scheduling Conference held before Judge Gary A. Feess: Court will issue a Scheduling and Case Management Order which will include the dates provided to counsel. Court Reporter: Lisa Gonzalez. (gk, ) (Entered: 03/08/2005)
03/07/2005	<a href="#">13</a>	SCHEDULING AND CASE MANAGEMENT ORDER by Judge Gary A. Feess: Set Deadlines/Hearings: Jury Trial set for 2/7/2006 08:30 AM before Honorable Gary A. Feess. Final Pretrial Conference set for 1/9/2006 03:30 PM before Honorable Gary A. Feess. Motions in Limine to be filed by 1/9/2006. Proposed Voir Dire Questions Lodged and Agreed-to Statement of Case 1/9/2006. Proposed Pretrial Order due by 12/19/2005. File Memo of Contentions of Fact and Law 12/19/2005. Exhibit List due by 12/19/2005. Witness List due by 12/19/2005. Status Report Re Settlement due by 12/19/2005. File Agreed Upon Set of Jury Instructions and Verdict Forms, File Joint Statement re Disputed Instructions, Verdicts, etc. 12/19/2005. Last date to conduct settlement conference is 12/16/2005. Last day for hearing motions. Discovery cut-off 11/18/2005. Last Day to Amend Pleadings or Add Parties 8/30/2005. (gk, ) (Entered: 03/08/2005)
04/20/2005	14	NOTICE of Serving Discovery filed by Defendant Clougherty Packing Company d/b/a Farmer John. (gk, ) (Entered: 04/25/2005)
07/15/2005	<a href="#">15</a>	ORDER RE SETTLEMENT CONFERENCE by Judge Paul L. Abrams. A Settlement Conference will be held on 9/15/05, at 9:00 a.m. NO LATER THAN 9/8/05, EACH PARTY SHALL SUBMIT A CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT DIRECTLY TO THE CHAMBERS OF MAGISTRATE JUDGE ABRAMS. [See Order for details.](ch, ) (Entered: 07/15/2005)

07/15/2005	16	NOTICE of Unavailability filed by attorney L. Stephen Albright on behalf of Defendant Clougherty Packing Company, re unavailability from 8/2/2005 through 8/16/2005. (gk, ) (Entered: 07/25/2005)
09/12/2005	<a href="#">17</a>	STIPULATION AND ORDER by Judge Gary A. Fees for extension of expert disclosure deadline until 10/7/2005, and the setting of a deadline for the disclosure of rebuttal experts on 10/24/2005.(gk, ) (Entered: 09/12/2005)
09/15/2005	<a href="#">18</a>	MINUTES OF Settlement Conference held before Judge Paul L. Abrams. Settlement conference held. Settlement was reached. Material terms of settlement placed on the record of this Court. Plaintiff's counsel shall file the stipulated order for dismissal and related documents NO LATER THAN 10/17/05. A courtesy copy of the stipulation should be delivered to his Court's clerk. Tape #: 05-23/1738-2497. (ch, ) (Entered: 09/16/2005)
10/17/2005	<a href="#">19</a>	CONSENT DECREE AND ORDER by Judge Gary A. Fees: This Decree includes Defendant Clougherty Packing Company, d/b/a Farmer John's ("Farmer John") operations at its Los Angeles, California facility. This Decree shall be binding on and enforceable against Farmer John and its officers, directors, agents, successors and assigns, and against the U. S. Equal Employment Opportunity Commission for the effective period of the Decree. Farmer John, in settlement of this dispute, shall pay to the Charging Party, Donnie Gaut, and the additional Claimants, including Chris Allen, Gilbert Dawson, Kenneth Dawson, Dawed Seid, Robin Griggs, and Samuel White (the other Claimants") (The "Claimants" refers to both Charging Party and the other Claimants) a total of \$110,000.00 as alleged damages to the Claimants: Donnie Gaut \$50,000, Chris Allen \$10,000, Gilbert Dawson \$10,000, Kenneth Dawson \$10,000, Dawed Seid \$10,000, Robin Griggs \$10,000, and Samuel White \$10,000. Farmer John shall bear all costs associated with its administration and implementation of its obligations under this Consent Decree. Each party shall bear its own costs of suit and attorneys' fees. See document for further details. ( MD JS-6, Case Terminated )(gk, ) (Entered: 10/19/2005)

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